

Congress of the United States
Washington, DC 20515

August 4, 2020

Acting Secretary Chad F. Wolf
United States Department of Homeland Security
245 Murray Lane, SW
Washington, D.C. 20528

Attorney General William P. Barr
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

Dear Acting Secretary Wolf and Attorney General Barr:

We write to inquire about the President's recent announcement to flood American cities, mainly Chicago, with a "surge of federal law enforcement" as part of the Justice Department's so-called "Operation Legend."¹ We understand that additional federal law enforcement officers, including "at least 100 agents" from Department of Homeland Security Homeland Security Investigations (HSI)², have already been deployed to Chicago and that at least 3 people have been arrested and charged as part of this operation.³ We also understand that the federal government has a longstanding practice of sending additional federal officers and resources to cities during times of need or spikes in crime. However, the number of officers being deployed, the scope of their duties, and the announcement by President Trump – right before an election – make this operation unprecedented and alarming.

We are particularly concerned with this surge of federal officers in Chicago due to reports of unconstitutional, deceptive, and oppressive federal law enforcement activities in Portland, Oregon, as well as this Administration's continued attacks on Black, Brown, indigenous, and immigrant communities. The Department of Homeland Security's Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) already have a documented history of targeting and harassing immigrants in the Chicago area, and we fear an influx of agents will further harm our communities.⁴

¹ *Remarks by President Trump on Operation LeGend: Combatting Violent Crime in American Cities*, July 22, 2020, <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-operation-legend-combatting-violent-crime-american-cities/>

² *Attorney General William P. Barr Joins President Donald J. Trump to Announce Expansion of Operation Legend*, July 22, 2020, <https://www.justice.gov/opa/pr/attorney-general-william-p-barr-joins-president-donald-j-trump-announce-expansion-operation>

³ Emmanuel Camarillo, *3 face weapons charges in first Chicago federal prosecutions under Operation Legend*, CHI. SUN TIMES, July 24, 2020, <https://chicago.suntimes.com/crime/2020/7/24/21337821/three-arrested-weapons-charges-first-chicago-operation-legend-trump-lightfoot-federal-court>

⁴ See Carlos Ballesteros, *SWAT-like immigration enforcement teams coming to Chicago, other sanctuary cities*, Feb. 14, 2020, <https://chicago.suntimes.com/2020/2/14/21138325/immigration-ice-cbp-swat-sanctuary-city-trump-detention-deportation> (documenting the Trump Administration's plan to deploy special tactical units to Chicago to assist in everyday immigration arrests, an effort immigrant advocates noted would "put lives at risk by further militarizing our streets"); Caitlin Dickerson and Zolan Kanno-Youngs, *Border Patrol Will Deploy Elite Tactical Agents to Sanctuary Cities*, Feb. 14, 2020, <https://www.nytimes.com/2020/02/14/us/Border-Patrol-ICE-Sanctuary-Cities.html>

While local leadership has been assured that no additional ICE Enforcement and Removal Operations or Border Patrol agents will be deployed, we seek that same assurance in writing. We are alarmed that Acting Secretary Wolf seems to be encouraging rogue, unaccountable behavior and celebrating the violent and oppressive use of federal forces against Americans. He has referred to the deployment of federal officers in Portland as a “siege”⁵ and for weeks he rejected the requests of local officials to recall these officers due to the federal presence's escalation of violence and tensions in the community. Only on July 29th did he purportedly agree to a phased and conditional withdrawal of federal officers.⁶ We will not tolerate these types of activities in our districts or against our constituents.

We demand that you provide answers to the below inquiries by August 28, 2020.

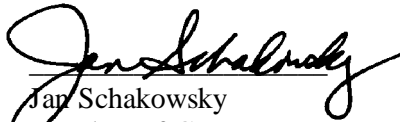
- Identify and provide a copy of any intergovernmental agreement or Memorandum of Understanding (MOU) used or established to address interagency communication, command structure, interoperability, information sharing, and cooperation between federal, state, and local law enforcement agencies in Chicago. Please state the purpose for which any such MOUs were created, the scope of activities covered by such agreements, any applicable federal, state, and/or local restrictions on the use of force, and under whose authority they are implemented.
- Identify the chain of command that agencies under the aegis of the Departments of Justice and Homeland Security are operating in Chicago. What steps are being taken to comply with the MOUs, as well as any court order or consent decree in effect regarding law enforcement officers' conduct in Chicago? What protocols, if any, are in place for the Mayor or Governor to stop activities they deem inappropriate?
- What agencies, departments, and units under Department of Justice (DOJ) or Department of Homeland Security (DHS) authority have been deployed to conduct law enforcement activity in Chicago? Please include the number of personnel from each unit deployed and identify any private contractors or entities involved in Operation Legend. Please also state whether any federal law enforcement officers have been deputized by the state government pursuant to any state law authorizing such deputations.
- Identify each unit's operational directive or mission. Identify any units which have the primary mission or directive of conducting investigations and describe their mission or directive as presently deployed.
- Identify the number of individuals who have been searched, detained, arrested, or charged by federal law enforcement in Chicago from the date of their deployment to the present, including the number of individuals who have been released without being charged with any offense and the number of individuals who have been charged with federal offenses. Please include the statute(s) under which they were charged, any relevant legal opinions produced or received by DOJ and DHS, and information on how these law enforcement activities are being documented.
- Identify the agencies, departments, and units under DOJ or DHS authority that will be tasked with conducting physical and/or electronic surveillance. What are their directives or tasks regarding surveillance and what limits are being placed on the ability of federal law enforcement to conduct physical and/or electronic surveillance?
- Notwithstanding the principle that the police's role in the First Amendment context should only be to enable protest and mass assembly activities, have the federal law enforcement personnel who are currently deployed received any training related to so-called "crowd control," mass demonstration response, de-escalation, or other training relevant to assessing and interacting with citizens exercising First Amendment Rights? Please describe any such training. If no such training was provided, identify

⁵ Paul Blest, *Trump Sent Cops to Portland and They're 'Kidnapping People Off the Streets'*, VICE News, July 17, 2020, https://www.vice.com/en_us/article/n7w4w8/trump-sent-the-feds-to-portland-and-theyre-kidnapping-people-off-the-streets


⁶ Mike Baker, *Federal Agents Agree to Withdraw from Portland, With Conditions*, The New York Times, July 29, 2020, <https://www.nytimes.com/2020/07/29/us/protests-portland-federal-withdrawal.html>

any department personnel who authorized the deployment of untrained law enforcement personnel to respond to protests and the basis for such decisions.

Sincerely,



Jan Schakowsky
Member of Congress



Jesús G. "Chuy" García
Member of Congress